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August 3, 2005

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Application of:

HOGARTH et al.

Serial No.: 10/687,109

Filed: October 15, 2003

Atty. File No.: 4102-4-1

For: "STRUCTURE-BASED  
IDENTIFICATION OF CANDIDATE  
COMPOUNDS USING THREE  
DIMENSIONAL STRUCTURES AND  
MODELS OF Fc RECEPTEORS"

) Group Art Unit: 1631

) Examiner: Borin, Michael L.

RESPONSE TO  
RESTRICTION REQUIREMENT

## CERTIFICATE OF FACSIMILE TRANSMISSION

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Tricia E. Van Hooser

Commissioner for Patents  
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Dear Sir:

This response is filed in response to the Restriction Requirement having a mailing date of July 5, 2005. No fees are believed to be due in connection with this response, but if fees are due, please debit Deposit Account No. 19-1970.

The Examiner has restricted the claims of the above-identified application into four groups, and then several subgroups within each group, as set forth on pages 2-4 of the Office Action.

Applicants provisionally elect, with traverse, to prosecute the claims of Group I.2 (Claims 58-64), directed to a composition comprising an inhibitor of Fc $\gamma$ R protein obtained using the three dimensional structure of Fc $\gamma$ RIIa. Applicants traverse the restriction between Group I.2 and Group II.2. Specifically, Applicants submit that the claims represented by these groups are so closely related as to be capable of examination together. In particular, the methods use the same structure (the three-dimensional structure of Fc $\gamma$ RIIa) to identify a modulator of IgG-mediated responses, and therefore, to search and examine both groups would not present an undue burden on the Examiner.

The Examiner has also required a species election of a type of compound as set forth in Claims 61-63 (these claims apply to the elected group above). Applicants provisionally elect, with traverse, the species of organic compounds (Claim 61), which will include the additional subspecies of: small organic molecule (Claim 62), and a substrate analog of said Fc $\gamma$ R protein (Claim 63). Claims 58-64 read on the elected species. Applicants submit that the examination of the steps of